

#3



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/887,831	06/22/2001	Robert D. Battin	CE08914R

CONFIRMATION NO. 7869

22917  
MOTOROLA, INC.  
1303 EAST ALGONQUIN ROAD  
IL01/3RD  
SCHAUMBURG, IL 60196

## FORMALITIES LETTER



\*OC000000006423364\*

Date Mailed: 08/14/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

09/13/2001 EABUBAK1 00000044 134772 09887831

01 FC:105 130.00 CH

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



sector #3

DOCKET NO.: CE08914R

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Robert Battin  
APPLICATION NO.: 09/887,831  
FILED: 06/22/01  
GROUP ART UNIT: 2152  
TITLE: A METHOD AND APPARATUS FOR TRANSMITTING DATA IN A  
COMMUNICATION SYSTEM

Certificate of Mailing

Date of deposit: September 16, 2001 TTS

I hereby certify that this paper is being deposited with the United States Postal Service on the date indicated above, as first-class mail, with sufficient postage attached thereto, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C.

Tanya Scheuer  
Signature of Person Mailing Paper

Tanya Scheuer  
Printed Name of Person Mailing Paper

Assistant Commissioner for Patents  
Washington, D.C. 20231

Attention: Customer Service Center  
Initial Patent Examination Division

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

Responsive to the Notice to File Missing Parts of Application dated 08/14/01, please find enclosed:

- ☒ 4 pages Declaration Combined with Power of Attorney
- ☒ 1 page copy of Notice to File Missing Parts of Application
- ☒ 3 Pages Assignment and Agreement
- ☒ 1 Page Recordation Transmittal Sheet

The Commissioner is hereby authorized to charge all fees due to Account No. 13-4772. A fee transmittal is enclosed.

Respectfully submitted,

SEND CORRESPONDENCE TO:

Motorola, Inc.  
Intellectual Property Section  
Law Department  
1303 E. Algonquin Rd.  
Schaumburg, IL 60196

By: Steven A. May  
STEVEN A. MAY  
Attorney of Record  
Reg. No.: 44,912

Telephone: 847-576-3635  
Fax No.: 847-576-3750



04 C O  
09-19-01

PATENT  
CE08914R

Receipt  
#4

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Battin et al.  
SERIAL NO.: 09/887,831  
FILE DATE: 06/22/01  
GROUP ART UNIT: 2152  
TITLE: METHOD AND APPARATUS FOR TRANSMITTING DATA IN A COMMUNICATION SYSTEM

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: Office of Initial Patent Examination, Customer Service Center, ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON: September 6, 2001

Date of Deposit

MOTOROLA INC.

Name of Assignee

SIGNATURE

DATE

9/6/01

CORRECTION OF FILING RECEIPT

Office of Initial Patent Examination  
Customer Service Center  
Honorable Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

It is respectfully pointed out that the Filing Receipt for the above-identified patent application is incorrect. The title of the application is incorrect. "METHOD AND APPARATUS FOR TRANSMITTING DATA IN A COMMUNICATION SYSTEM"

should be "METHOD AND APPARATUS FOR TRANSMITTING DATA IN A COMMUNICATION SYSTEM".

Please correct the title as follows "METHOD AND APPARATUS FOR TRANSMITTING DATA IN A COMMUNICATION SYSTEM" and issue a corrected filing receipt. A copy of the Filing Receipt with the change noted thereon is enclosed.

No fee is due since the error was not that of Applicant.

Respectfully submitted,

Steven A. May  
Attorney for Applicant(s)  
Reg. No. 44,912  
Tel. 847-576-3635  
Fax 847-576-3750

MOTOROLA, INC.  
Customer Number 22917



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/887,831	06/22/2001	2152	1750	CE08914R	12	60	7

CONFIRMATION NO. 7869

22917  
MOTOROLA, INC.  
1303 EAST ALGONQUIN ROAD  
IL01/3RD  
SCHAUMBURG, IL 60196

## FILING RECEIPT



\*OC000000006423363\*

U.S. DOCKETING

Date Mailed: 08/14/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Robert D. Battin, Kildeer, IL;  
Rajeev Ranjan, Buffalo Grove, IL;  
Stephen L. Spear, Skokie, IL;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 08/14/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

## Title



Method and apparatus for transmitting data in a communication system

Preliminary Class

709

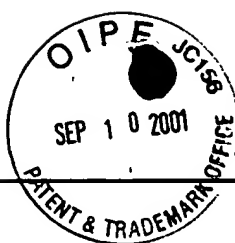
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Data entry by : ROBINSON, FELICIA

Team : OIPE

Date: 08/14/2001





PTO/SB/21 (08-00)

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/887,831
	Filing Date	06/22/01
	First Named Inventor	Robert Battin
	Group Art Unit	2152
	Examiner Name	Unknown
	Total Number of Pages in this Submission	Attorney Docket Number

**ENCLOSURES**

(check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-Related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CDs	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group {Appeal Notice, Brief, Reply Brief} <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter with appropriate copies <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) <input checked="" type="checkbox"/> 4 pages Declaration Combined with Power of Attorney <input type="checkbox"/> sheet(s) formal drawings <input checked="" type="checkbox"/> copy of Notice to File Missing Parts of Application
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

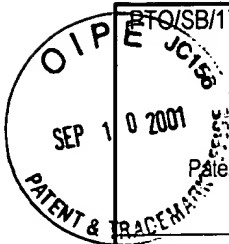
Firm or Individual	Steven A. May	Registration No.	44,912
Signature			
Date	9/6/01		

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage thereon, as first-class mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on the date listed below:

Typed or printed name	Tanya Scheuer		
Signature		Date	9/6/01

#3



PTO/SB/17 (11-00)		<b>Complete if Known</b>	
<b>FEE TRANSMITTAL</b> Patent fees are subject to annual revision		Application Number	09/887,831
		Filing Date	06/22/01
		First Named Inventor	Robert Battin
		Examiner Name	Unknown
		Group Art Unit	2152
TOTAL AMOUNT OF PAYMENT	(\$ 170.00)	Attorney Docket No.	CE08914R

<b>METHOD OF PAYMENT</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																																																																																					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: Deposit Account Number <u>13-4772</u> Deposit Account Name <u>Motorola, Inc.</u>  <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Fee</th> <th>Small Entity</th> <th>Fee</th> <th>Fee Description</th> <th></th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td>130.00</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late Provisional filing</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2520</td> <td>147</td> <td>2520</td> <td>For filing a request for ex parte Reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1840*</td> <td>113</td> <td>1840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>390</td> <td>216</td> <td>195</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>890</td> <td>217</td> <td>445</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1390</td> <td>218</td> <td>695</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1890</td> <td>228</td> <td>945</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>310</td> <td>219</td> <td>155</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1510</td> <td>138</td> <td>1510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - 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late filing fee or oath	130.00	127	50	227	25	Surcharge - late Provisional filing		139	130	139	130	Non-English specification		147	2520	147	2520	For filing a request for ex parte Reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1840*	113	1840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1390	218	695	Extension for reply within fourth month		128	1890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1510	138	1510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1240	241	620	Petition to revive - unintentional		142	1240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17(q)		126	180	126	180	Submission of IDS		581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00	146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))		179	710	279	355	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify) _____					
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<b>1. BASIC FILING FEE</b> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>101</td> <td>710</td> <td>201</td> <td>365</td> <td>Utility filing fee</td> </tr> <tr> <td>106</td> <td>320</td> <td>206</td> <td>160</td> <td>Design filing fee</td> </tr> <tr> <td>107</td> <td>490</td> <td>207</td> <td>245</td> <td>Plant filing fee</td> </tr> <tr> <td>108</td> <td>710</td> <td>208</td> <td>355</td> <td>Reissue filing fee</td> </tr> <tr> <td>114</td> <td>150</td> <td>214</td> <td>75</td> <td>Provisional filing fee</td> </tr> </tbody> </table> <b>SUBTOTAL (1)</b> (\$ 0.00)		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Paid	101	710	201	365	Utility filing fee	106	320	206	160	Design filing fee	107	490	207	245	Plant filing fee	108	710	208	355	Reissue filing fee	114	150	214	75	Provisional filing fee	<b>SUBTOTAL (3)</b> (\$ 170.00)																																																																																																																																																							
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<b>SUBMITTED BY</b> Name (Print/Type) <u>Steven A. May</u> Signature <u>[Signature]</u>		Complete (if applicable) Registration No. <u>44,912</u> Telephone <u>847-576-3635</u> Mail Date <u>9/6/01</u>																																																																																																																																																																																					